

MINUTES

**P & Z COMMISSION HEARING
July 17, 2003**

**ATTENDANCE
P & Z Commissioners**

ATTENDED

1. John Dalton, Chairman
2. Frank Damato
3. Wendell DeCross
4. Tommy Joe
5. Roy Solomon
6. Drew Shumway
7. Gary Nelson

ABSENT

Staff Attendance

1. David Ashton, Director of Development Services
2. Lissa Davis, Planner II
3. Richard Young, Deputy Director of Public Works
4. Mary Bradley, Secretary

Meeting held at the Board of Supervisors Chambers, Holbrook, Arizona - Time 6:05 p.m.

John Dalton called the meeting of the Navajo County Planning & Zoning Commission to order, and explained the meeting procedures to the public. Mr. Dalton then led the Pledge of Allegiance.

Item # 1 **TENTATIVE PLAT:** Discussion and possible Commission action on a request for Lakeside 160 L.L.C. for the approval of **Starlight Ridge Estates, Unit 1 Subdivision** located on APN 212-05-007E, T9N, R22E, Section 8 of the Gila and Salt River Meridian, the Lakeside Wagon Wheel area. **Dave Ashton** gave a history of the project and presented maps showing the general area and the site plan. Mr. Ashton commented that this is a follow up from last month. Mr. Ashton said that the Public Works Department had reviewed this as well as Development Services. Mr. Ashton said that the applicant had submitted their Traffic Impact Analysis as well their Master Drainage Plan. Mr. Ashton went on to say that the County Engineer approved the Traffic Impact Analysis and the official Master Flood Study. Mr. Ashton said that they have met all the requirements for coming to the Planning and Zoning Commission. Staff recommends approval. **John Murphy** is with the firm Murphy Engineering Group and he stated that his is representing the developer. Mr. Murphy explained that the developer was unable to attend. Mr. Murphy said that last month's meeting covered almost everything. Mr. Murphy commented on the questions previously raised last month by the adjoining property owners. Mr. Murphy said that Tract D is a future roadway and would not be constructed by the developer. Mr. Murphy explained that Tracts A and B are slated for Multi-Family town homes and the rest are single detached site built house construction. **No one came forward to speak in favor or opposition regarding this matter.** **Roy Solomon** asked about Tract A and B in reference to how many Multi-Family Units. **John Murphy** said that the Zone Change Site Plan calls for a 184 Units in the Multi-Family areas. Mr. Murphy said that they are working on the site plan in Tract A and it tentatively looks like there will be about 75 units in Tract A and 71 units in Tract B. A motion was made by **Frank Damato** to approve the Tentative Plat. **Drew Shumway** seconded the motion. Motion unanimously carried.

Item #2 **SPECIAL USE PERMIT:** Discussion and possible Commission action on a request by the **Hatch Family Limited Partnership** to allow for the continued operation of asphalt batch plant on the subject property, APN: 103-22-022B in Township 19 North, Range 16 East, Section 27 of the Gila and Salt River Meridian, the Winslow area.

Dave Ashton gave a history of the project and presented maps showing the general area and the site plan. Mr. Ashton said that this is a review of a Special Use Permit granted several years ago and the applicants indicated that they wanted to keep it activated. Mr. Ashton said in June of 1988 the applicant was granted a Special Use Permit for the operation of a hot mix asphalt batch plant for 5 years. Mr. Ashton explained that the property was split in 1993 into two parcels and the current owner did not reapply for a Special Use Permit, believing that the original Special Use Permit had not expired. Mr. Ashton said that this is a proper use and felt that this permit should be allowed to continue. Staff recommends approval with a stipulation. **The applicant was not in attendance. No one came forward to speak in favor or opposition regarding this matter.** **John Dalton** agreed with Mr. Ashton assessment and said that this was originally a sand pit. **Frank Damato** asked staff why are we placing a stipulation for 5-years and couldn't they just review it in 5 years? **Dave Ashton** said that it was up to the commission or they could change it to say to be reviewed every 5 years. **John Dalton** said that he personally feels that they should leave it as stipulated. **Wendell DeCross** agreed. Mr. DeCross made a motion to approve the Special Use Permit with the one stipulation. ***RECOMMENDED STIPULATION: 1. This Special Use Permit shall expire in five years at which time the applicant will need to reapply.*** **Gary Nelson** seconded the motion. **John Dalton** called for a vote. **John Dalton, Tommy Joe, Drew Shumway, Roy Solomon, Gary Nelson, and Wendell DeCross** voted in favor of the motion. **Frank Damato** voted against the motion. Motion carried.

Item #3 **SPECIAL USE PERMIT:** Discussion and possible Commission action on a request by **Eugene C. and Cynthia L. Amoroso** to allow for the operation of a Recreational Vehicle and boat storage facility in conjunction with a used automobile dealership on the subject property, APN: 206-27-014J in Township 12 North, Range 17 East, Section 33 of the Gila and Salt River Meridian, the Overgaard area. **Frank Damato** explained to the public that he was the broker who sold the property to the applicants. Mr. Damato said that he had he spoken to the County Attorney in reference to this being a conflict of interest and was told that he wasn't in violation. **Dave Ashton** gave a history of the project and presented maps showing the general area and the site plan. The applicant is currently operating a temporary automotive sales facility on the subject property. He is requesting a Special Use Permit to operate a Recreational Vehicle and boat storage business on the same property out of the floodway area. Mr. Ashton went on to say that the applicant is only proposing new fencing construction in conjunction with the storage business. Mr. Ashton said that the Public Works Department hydrologist, Tom Hieb has looked at this as well as himself to make sure this is outside of floodway. Mr. Ashton explained that you could not build in a flood way. Mr. Ashton reviewed all of Development Services stipulations with the commission and then went over Public Works Department stipulations. Mr. Ashton suggested that commission could stipulate a requirement for the height of the fence. Staff recommends approval with stipulations. **Eugene Amoroso** is the applicant and he was in attendance and explained that his wife was unable to attend. Mr. Amoroso said that this was not his idea but the idea of a lot of local people who told him that there were not any recreational vehicle storages in the area. Mr. Amoroso indicated that he could put cars and recreational vehicles on the entire parcel to sell, but he could not build in the floodway. Mr. Amoroso said that they are planning to stay on top portion of the property and make due. **No one came forward to speak in favor of this project.** **Ann Cook** stated that she was **not opposed** to this project but addressed concerns with the view from her property stating that it was awful. Ms. Cook indicated that she lives on Lot 94. Ms. Cook had concerns with the type of lighting, landscaping and security (if there was going to be any), and the height and type of fence. **James Porter** spoke in opposition and said that he lives in the Pines Meadows Subdivision. Mr. Porter also said that the water that comes off from the applicant's property comes his way. Mr. Porter expressed his concerns regarding drainage and questioned the developer if he had done a water survey. Mr. Porter also gave his opinion that this would be an eyesore. **Sandy Webb** spoke in opposition. Ms. Webb questioned if the people who rented the storage facilities would be told that they are in a floodway. Ms. Webb had concerns with security, lighting, appearance of the fence and drainage. Ms. Webb said that this looks like a prison and she does not feel that it is appropriate for this location. Ms. Webb also spoke about the property value and the aesthetics of the property. **Frank Castelluccio** spoke in opposition and said that he resides in Pine Crest Lakes. Mr. Castelluccio also reiterated his concerns regarding the lighting and sign. Mr. Castelluccio wondered how many recreational vehicles would be stored there, how much traffic this would generate and other issues such as the fire hydrants, security, lightning and the hours of operations. **Frank Rennhak** spoke in opposition and said that he was a property owner in Pinecrest Lakes. Mr. Rennhak said that he is within 300' of the subject parcel and his property faces it. Mr. Rennhak said that he and his wife canvassed the community asking their opinion in regards to this matter. Mr. Rennhak presented the commission a petition of people who are against this proposal. Mr. Rennhak said that some of the comments from people that they were canvassing were that is unsightly, unkempt and show little respect for those who lived and operated around them. Mr. Rennhak said that he shares the same opinion. Mr. Rennhak also said that this is an eyesore and would not enhance the value of his property. **Lori Rennhak** spoke in opposition. Ms. Rennhak said that there are other storage units for recreational vehicles on Highway 260. Ms. Rennhak also indicated that the area already has a car lot which is within 300 feet of the

other car lot. **Pat Castelluccio** spoke in opposition and said that she lives in Pinecrest Lakes. Ms. Castelluccio said that people wants this area to flourish and not to be downgraded and asked the commission to take this into consideration. **William Hills** spoke in opposition and said that he lives in Pinecrest Lakes. Mr. Hills agreed with comments on the lights and reiterated his agreement with the previous comments that were given. Mr. Hills was concerned with the possibility of flooding onto his property. **Catherine Sallaway** spoke in opposition and said that she lives in Pinecrest Lakes. **Don Ball** spoke in opposition and voiced his concern on how this project would enhance the value of their land, or the beauty of their area. **Eugene Amoroso** said that he has done everything that was required by Navajo County. Mr. Amoroso stated that this is a car lot and it will remain a car lot and he can put as many cars as he want on the property. Mr. Amoroso went on to say that this would be more of an eyesore than creating an area to store recreational vehicles in the wintertime. Mr. Amoroso said that he would try to make sure the lights are not shining in their eyes and there would be security around the clock. Mr. Amoroso said in the 45 days that they have been there; operating on weekends only, they have managed to sell 27 cars at \$187,000 in gross profits. Mr. Amoroso said that he did not want to be in a place where he is not welcomed and if the property owners would like to purchase his property, and then this would resolve the issue. **Richard Young** explained the difference between a floodway and a floodplain. Mr. Young explained that the restrictions in a floodway are much more stringent than in a floodplain. Mr. Young said that in a floodplain it requires an engineer plan and requires placing the finish floor at certain distance above the base flood level. Mr. Young showed on the map where the floodway and the floodplains were located. Mr. Young said 18" culvert would give much less water than the wide-open channel would carry. Mr. Young said that the normal drainage of the site goes north in that general area. Mr. Young said that the only difference is that the applicant put in a detention pond which will reduce the peak flows and convey considerably less water that would go through there naturally. **John Dalton** said that the county does have a lighting and sign ordinance and the applicant said that he would provide security 24 hours a day. Mr. Dalton said that they could address the issue of greenery and shrubbery (landscaping). **Wendell DeCross** asked what the depth of retention basis was and how much would it hold. Mr. DeCross also wondered if it was prohibitive to release water into a floodway, even though it is on someone's private property. **Richard Young** said that the pond will hold about 7, 500 cubic feet and the detention pond does conform to county requirements. **Gary Nelson** suggested that maybe there should be landscaping on more than one side. **John Dalton** suggested that they should address the issue of the height of the fence, dust control and landscaping. The commission and staff discussed the following: fencing, dust control, landscaping, reviewing this Special Use Permit every 2 years for compliance and if the Special Use Permit is discontinued for 12 consecutive months, then the Special Use Permit would lapse, unless the developer requested an extension from the Board of Supervisors. **Wendell DeCross** directed his comments to staff and said that there are 10 stipulations on this, and as our attorney has suggested in the past, who would be responsible for making sure that these stipulations are being monitored? Mr. DeCross said that we should be sure that staff monitors the stipulations on the Special Use Permits and any other actions. Mr. DeCross said what was the point of having stipulations if we don't monitor them, and we had a prime example of this last month. **Lissa Davis** said that it was her responsibility and she does has a tickler file that she keeps that reminds her when to do a review on a particular item. A motion was made by **Frank Damato** to approve the Special Use Permit with the stipulation stated by staff and to include the additional stipulations that were discussed. **RECOMMENDED STIPULATIONS:** *1. The Special Use Permit shall run with the land. 2. Provide adequate turning area for vehicles pulling long trailers, i.e., 5th wheels, etc. 3. Provide two access points from the property onto maintained roads, when possible. 4. Rolling stock are to be stored in an enclosed, screened area 8-feet high with barbed wire on top. 5. Signs are to conform to the Navajo County Zoning Ordinance. 6. A driveway permit shall be obtained from Public Works Department before beginning construction. This driveway shall be paved to the future paved Pine Meadows Drive. Should this become the primary entrance before Pine Meadows Drive is paved, the developer is required to pave Pine Meadows Drive out to SR-260. 7. The Special Use Permit will be reviewed by staff every two years to confirm compliance with the stipulations. 8. If the use is discontinued for twelve (12) consecutive months the Special Use Permit will lapse unless the developer requests an extension form the Board of Supervisors. 9. A landscape buffer shall be planted along the outside of the fenced storage area on the north side. 10. AB shall be installed for dust control in the fenced area.* **Roy Solomon** seconded the motion. Motion unanimously carried.

Item #4 **ZONE CHANGE:** Discussion and possible Commission action on a request by **Payson Exchange #3 Partnership** for a Zone Change from A-General to – R1-10 Single Family residential Zoning District on the subject properties, APN 208-06-003A & 011, in Township11 North, Range19 East, Section 18 of the Gila and Salt River Meridian, the Clay Springs area. **Dave Ashton** gave a history of the project and presented maps showing the general area and the site plan. The stated reason for this request is to allow for the development of a single-family residential subdivision. Mr. Ashton reminded the commission that they should have a tentative conceptual layout map in their packet. They are proposing modular homes and the CC&R's will stipulate this. Mr. Ashton said that this will be a

second home gated community or possible retirement home. Mr. Ashton said that Phase 2 goes further north and they would have to provide emergency access (showed on the map where the emergency access would have to be provided). Mr. Ashton said that staff feels that this would be good for the community and the applicant has done their homework on how to develop this land. Mr. Ashton said that the developer would have to do a Master Development Plan since it is over 40 acres. Staff recommends approval with stipulations. **Richard Young** indicated that adequate but not excessive access is provided to forest lands. Mr. Young said that there might be other routes that provide access to the adjacent private land. Mr. Young said that they are not asking them to provide the access but they got to show that there is that level of access. **Brad Graham** is the representative for Payson Exchange# 3 Partnership. Mr. Graham said that in the preliminary market it shows that there is a demand in the Show Low & Clay Springs area. **There was no public in attendance that came forward to speak in favor or opposition on this matter.** **Drew Shumway** said that this would be great for the community of Clay Springs. A motion was made by **Wendell DeCross** to approve the Zone Change with the stipulations stated by staff. **RECOMMENDED STIPULATIONS:** *1. A Traffic Impact Analysis (TIA) and the Mater Drainage Report for the development should be submitted before the Master Plan is approved by the County Engineer before the Tentative Plat for the first phase of the development is submitted to the Planning & Zoning Commission. 2. All required offsite improvements including, but not limited to, traffic signals, construction of collector streets to the regional arterial system, and right-of-way acquisition, identified in the TIA shall be constructed or financially assured before the stage of the development is constructed that first requires the improvement. 3. The Developer shall demonstrate that collector street access is available to any adjacent developable land. If all adjacent land is under the control of a Federal, State, or Tribal agency, the Developer shall submit a letter from the agency stating their concurrence with the access that is provided to the land under the agency's control or any proposed access restrictions. 4. All technical requirements of the Subdivision Regulations shall be met before approval of the Master Plan. Variances shall be requested and justified for the entire development in the Master Plan and repeated with each of the phases they apply to. 5. Sufficient off-road drainage easements shall be made available to accommodate major drainage.* **Gary Nelson** seconded the motion. **Roy Solomon** said that he thought that this would be good for Clay Springs but doesn't feel a quarter of an acre is appropriate. Mr. Solomon said that he would feel much better if these were one-acre properties (speaking about the ¼ acre properties). **Frank Damato and John Dalton** agreed with Mr. Solomon's comments. **John Dalton** called for a vote. Voting in favor of the motion were **Wendell DeCross, Gary Nelson, Drew Shumway,** and **Tommy Joe**. Voting against the motion were **Roy Solomon, Frank Damato** and **John Dalton**. Motion carried.

Item #5 **Work Session:** Discussion about uses in A-General and Rural zoning districts, **revised Matrix** and Draft Articles 3 and 4. **Dave Ashton** reminded the commission when in January the commission and staff went through the matrix and made all sort of changes on it. Mr. Ashton said that this is result of the changes and is an updated version of the matrix from the January meeting. Mr. Ashton emphasize that this was only a draft. Mr. Ashton commented on how the uses in the matrix are either black or white and there is no gray area. Mr. Ashton asked that in the next few months for the commission to review the matrix and try to be more flexible on some of the uses. **John Dalton** suggested that they should meet in the afternoon or at another time and work together on the matrix.

Item #6 Possible approval of **June 19, 2003 Minutes**. A motion was made by **Frank Damato** to approve the minutes. **Drew Shumway** seconded the minutes. Motion unanimously carried.

Item #7 Commissioners' comments and/or directions to staff. Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions' choosing. **Frank Damato** said that he would like to cut down the time spent on the meeting. **Mr. Damato said on tonight's meeting the public was constantly repeating themselves and speaking out of order. Mr. Damato said that on some of these controversial meetings the public is complaining about an issue that does not even apply, and would like someone to cut this off at the pass. Mr. Damato said they should clarify to the public right off the bat what is the topic of discussion and when the public goes off on a tangent someone needs to bring them back to order. Mr. Damato also reiterated Mr. DeCross's comments regarding staff being more diligent in monitoring stipulations.**

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 8:47 p.m. **Frank Damato** made a motion to adjourn. **Drew Shumway** seconded the motion. Motion unanimously carried. The Commission reserves the right to adjourn into an executive session when needed per 431.03(a)(3) for legal consultation on the above agenda items.

NOTE: a copy of the agenda background material provided to the Commission Members (with exception of material relating to possible executive sessions) is available for public inspection at the Development Services Office, Navajo County Complex, Holbrook, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Approved this _____ day of _____, _____.

(not Signed)
Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Development Services